

ORDINANCE NO. 771027-A

AN ORDINANCE ORDERING A CHANGE IN USE AND CHANGING THE USE MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 4.17-ACRE TRACT OF LAND, SAVE AND EXCEPT THE EASTERNMOST 10 FEET WHICH IS TO REMAIN ZONED "A" RESIDENCE DISTRICT, FROM "A" RESIDENCE DISTRICT TO "GR" GENERAL RETAIL DISTRICT; AND,

TRACT 2: A 4.93-ACRE TRACT OF LAND, SAVE AND EXCEPT THE EASTERNMOST 10 FEET WHICH IS TO REMAIN ZONED "A" RESIDENCE DISTRICT, FROM "A" RESIDENCE DISTRICT TO "GR" , GENERAL RETAIL DISTRICT; AND,

TRACT 3: A 1.03-ACRE TRACT OF LAND, FROM "A" RESIDENCE DISTRICT TO "C" COMMERCIAL DISTRICT; ALL SAID PROPERTY BEING LOCALLY KNOWN AS 2142-2150 WEST BEN WHITE BOULEVARD, 2201-2327 PRATHER LANE, AND 4000-4312 VICTORY DRIVE; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Chapter 45 of the Austin City Code of 1967 is hereby amended to change the USE designation on the property described in File C14-75-029, to-wit:

TRACT 1: From "A" Residence District to "GR" General Retail District.

A 4.17-acre tract of land, SAVE AND EXCEPT the easternmost 10 feet, out of that certain 10.79-acre tract of land out of the Charles H. Riddle Survey in Travis County, Texas, conveyed unto Barton West Associates, Ltd., by deed recorded in Volume 5086, Page 2103 of the Travis County Deed Records; said 4.17-acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at a concrete monument set in the north right-of-way line of Ben White Boulevard, said Point of Beginning also being the southwest corner of Lot 23, Goodnight and Pearson Addition as recorded in Book 5, Page 28 of the Plat Records of Travis County, Texas, and said Point of Beginning also being the southeast corner of the herein described tract of land;

THENCE along the said north right-of-way line of Ben White Boulevard N 60° 37' W, 112.12 feet to a steel pin set at the southeast corner of Barton Market Square as recorded in Book 71, Page 41 of the Travis County Plat Records, said steel pin set also being a point of curvature in the east right-of-way line of Victory Drive, said steel pin set also being the southwest corner of the herein described tract of land;

THENCE along the said east right-of-way line of Victory Drive the following five (5) courses:

(1) Along a curve to the right that has an internal angle of 89° 49', a radius of 15.00 feet, a tangent of 14.95 feet, an arc length of 23.51 feet, and a chord that bears N 15° 43' W, 21.18 feet to a steel pin set at a point of tangency;

(2) N 29° 12' E, 165.94 feet to a steel pin set at a point of curvature;

(3) Along a curve to the right that has an internal angle of $10^{\circ} 19'$, a radius of 465.00 feet, a tangent of 41.98 feet, an arc length of 83.73 feet, and a chord that bears $N 34^{\circ} 22' E$, 83.61 feet to an iron pin set at a point of tangency;

(4) $N 39^{\circ} 31' E$, 502.81 feet to a steel pin set at a point of curvature; and,

(5) Along a curve to the left that has an internal angle of $26^{\circ} 25' 28''$, a radius of 335.00 feet, a tangent of 78.65 feet, an arc length of 154.50 feet, and a chord that bears $N 26^{\circ} 18' E$, 153.13 feet to a point in the east line of that certain 8.00-acre tract of land out of the Charles H. Riddle Survey conveyed unto Barton West Associates, Ltd., by deed recorded in Volume 4539, Page 670, of the Travis County Deed Records;

THENCE along the said east line of the said 8.00-acre tract of land $N 39^{\circ} 31' E$, 159.41 feet to a point, said point being the northeast corner of the said 8.00-acre tract of land, said point also being the northwest corner of the herein described tract of land;

THENCE $S 60^{\circ} 37' E$, 201.58 feet to a concrete monument set for the northeast corner of the herein described tract of land;

THENCE $S 39^{\circ} 15' W$, 430.75 feet to a steel pin found;

THENCE $S 39^{\circ} 35' W$, 380.59 feet to a steel pin found;

THENCE $S 39^{\circ} 31' W$, 274.32 feet to the original Point of Beginning; and,

TRACT 2: From "A" Residence District to "GR" General Retail District.

A 4.93-acre tract of land, SAVE AND EXCEPT the easternmost 10 feet, out of that certain 10.79-acre tract of land out of the Charles H. Riddle Survey in Travis County, Texas, conveyed unto Barton West Associates, Ltd., by deed recorded in Volume 5086, Page 2103 of the Travis County Deed Records; said 4.93-acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at the steel pin set at the northeast corner of the said Barton Market Square, said steel pin set also being in the east right-of-way line of Victory Drive, said steel pin set also being the southwest corner of the herein described tract of land;

THENCE along the proposed east right-of-way line of Victory Drive the following two (2) courses:

(1) $N 07^{\circ} 29' W$, 328.49 feet to a steel pin set at a point of curvature; and,

(2) Along a curve to the right that has an internal angle of $30^{\circ} 36' 53''$, a radius of 265.00 feet, a tangent of 72.53 feet, an arc length of 141.60 feet, and a chord that bears $N 07^{\circ} 49' E$, 139.92 feet to a point;

THENCE N 51° 34' E, 24.39 feet to a steel pin found in the south right-of-way line of Prather Lane for the northwest corner of the herein described tract of land;

THENCE along the said south right-of-way line of Prather Lane S 62° 09' E, 635.29 feet to a steel pin found for the northeast corner of the herein described tract of land;

THENCE S 39° 14' W, 175.79 feet to a steel pin found;

THENCE S 39° 15' W, 263.22 feet to a concrete monument set for the southeast corner of the herein described tract of land;

THENCE N 60° 37' W, 320.60 feet to the original Point of Beginning; and,

TRACT 3: From "A" Residence District to "C" Commercial District.

A 1.03-acre tract of land out of that certain 10.79-acre tract of land out of the Charles H. Riddle Survey in Travis County, Texas, conveyed unto Barton West Associates, Ltd., by deed recorded in Volume 5086, Page 2103 of the Travis County Deed Records; said 1.03-acre tract of land being more particularly described by metes and bounds as follows:

BEGINNING at the iron pin set at the most easterly corner of Lot 6, Barton Market Square, said iron pin set also being in the west right-of-way line of Victory Drive, said iron pin set also being the southeast corner of the herein described tract of land;

THENCE N 60° 37' W, 321.23 feet to an iron pin set at the most northerly corner of the said Lot 6 for the southwest corner of the herein described tract of land;

THENCE N 51° 34' E, 309.87 feet to a point in the proposed curving west right-of-way line of Victory Drive for the most northerly corner of the herein described tract of land;

THENCE along the proposed west right-of-way line of Victory Drive, the following two (2) courses:

(1) Along a curve to the left that has an internal angle of 13° 17' 33", a radius of 335.00 feet, a tangent of 38.54 feet, an arc length of 76.74 feet, and a chord that bears S 00° 55' E, 76.58 feet to a steel pin set at a point of tangency; and,

(2) S 07° 29' E, 276.01 feet to the original POINT OF BEGINNING, locally known as 2142-2150 West Ben White Boulevard, 2201-2327 Prather Lane, and 4000-4312 Victory Drive, in the City of Austin, Travis County, Texas.

PART 2. It is hereby ordered that the USE maps accompanying Chapter 45 of the Austin City Code of 1967 and made a part thereof shall be changed so as to record the change ordered in this ordinance.

PART 3. The rule requiring that ordinances shall be read on three separate days is hereby suspended and this ordinance shall become effective ten (10) days following the date of its passage.

PASSED AND APPROVED

October 27, 1977

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X
X
X

Conale Kerton McEllen
Mayor

APPROVED:

Jerry J. Hines
City Attorney

ATTEST:

Grace Monroe
City Clerk

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JM:dc